

Counsel listed on next pages

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Philip Wong, Frederic Chaussy, and Leslie  
Marie Shearn, individually, on behalf of all  
others similarly situated, and on behalf of  
the general public,

Plaintiffs,

vs.

HSBC Mortgage Corporation (USA);  
HSBC Bank USA, N.A.; and DOES 1  
through 50, inclusive,

Defendants.

**Case No.: 3:07-cv-2446 MMC**

**JOINT NOTICE OF MOTION AND  
MOTION TO EXTEND EARLY  
NEUTRAL EVALUATION DEADLINE  
(N.D. Cal. Local ADR Rule 5-5)**

Date: January 30, 2008  
Judge: Hon. Maxine M. Chesney  
Complaint Filed: June 29, 2007 (Amended)  
Trial Date: None Yet Set

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Attorneys for Defendants  
HSBC MORTGAGE CORPORATION (USA) and  
HSBC BANK USA, N.A.

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1 PLEASE TAKE NOTICE that on January 30, 2008, Plaintiffs Philip Wong,  
2 Frederic Chaussy, and Leslie Marie Shearn (collectively referred to as "Plaintiffs") and  
3 Defendants HSBC Mortgage Corporation (USA) and HSBC Bank USA, N.A. (collectively  
4 referred to as "Defendants") jointly request the United States District Court for the Northern  
5 District of California, 450 Golden Gate Avenue, San Francisco, California 94102 to extend the  
6 Early Neutral Evaluation deadline of January 31, 2008 to April 30, 2008, pursuant to Northern  
7 District of California Local ADR Rule 5-5, Civil Local Rule 7-11, and Civil Local Rule 7-12.

8 The parties make this joint motion on the grounds that:

- 9 1. The parties have agreed, with the Early Neutral Evaluator's concurrence,  
10 that additional discovery should be conducted related to Plaintiffs' claims  
11 and Defendants' defenses, in order to make the ENE process more  
12 meaningful; and
- 13 3. The parties have agreed, with the Early Neutral Evaluator's concurrence,  
14 that the ENE process will be more meaningful if the parties have received a  
15 ruling from the Court on Plaintiffs' Motion for Conditional Certification  
16 under the Fair Labor Standards Act.

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